

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/057,441 Confirmation No. 9642
Applicant : Ivan Fernandez-Corbaton
Filed : January 25, 2002
Art Unit : 2123
Examiner : Carlos R. Ortiz Rodriguez
Docket No. : 010379
Customer No. : 23696

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Commissioner:

The Examiner's statements of reasons for allowance are hereby acknowledged by Assignee. Assignee agrees that the claimed subject matter is patentably distinct from the documents cited by the Examiner; however, Assignee takes no position regarding the reasons for allowance presented by the Examiner, other than the positions Assignee may have previously taken during prosecution of the above-referenced patent application. Therefore, the Examiner's reasons for allowance should not be attributed to Assignee as an indication of the basis for Assignee's belief that the claims are patentably distinct. For example, Applicant contends that all means plus function elements should be construed in accordance with 35 U.S.C. § 112, ¶6. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record. While in accordance with 37 C.F.R. §1.104(e), a failure by the Assignee to disagree with the Examiner, or file more detailed comments, does not give rise to any implication that the Assignee agrees with or acquiesces in the reasoning of the Examiner, here, by this document, Assignee is expressly making clear that no such agreement or acquiescence is present.

Please charge any fees or overpayments that may be due with these comments to Deposit
Account No. 17-0026.

Dated Nov 24, 2008

Respectfully submitted,

By: _____

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